

MINUTES

CASE NUMBER: CR 00-00174DAE
CASE NAME: USA v. David Mueller
ATTYS FOR PLA: Michael Kawahara
ATTYS FOR DEFT: Matt Winter
USPO: Jonathan Skedleski

JUDGE:	David Alan Ezra	REPORTER:	Cynthia Fazio
DATE:	07/25/2008	TIME:	10:30am-10:55am

COURT ACTION: EP: Order to Show Cause Why Supervised Released Should Not Be Revoked.

Defendant present, in custody.

Defendant sworn to Financial Affidavit. Request for Court Appointed Attorney - Granted. Matt Winter, AFPD and the Office of the Federal Public Defender Apptd Atty.

Defendant admits to all violations.

Allocution by defendant.

Order to Show Cause Why Supervised Released Should Not Be Revoked-REVOKED.

SENTENCE:

Imprisonment: 9 MONTHS

Supervised Release: 12 MONTHS

CONDITIONS:

- ▶ That the defendant shall abide by the standard conditions of supervision.
- ▶ That the defendant not commit any crimes, federal, state, or local (mandatory condition).

- ▶ That the defendant not possess illegal controlled substances (mandatory condition)
- ▶ That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the terms of supervision (mandatory condition).
- ▶ That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ▶ That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
- ▶ That the defendant participate in a mental health program at the discretion and direction of the Probation Office.
- ▶ That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
- ▶ Without the prior approval of the Probation Office, the defendant shall not enter the "Operation Weed and Seed" target area which is bordered by Lunalilo Freeway, Nuuanu Avenue, Bethel Street, Nimitz Highway, North King Street, Dillingham Boulevard, and Kokea Street, as depicted in the map to be attached to the Judgment.

That the defendant disclose to his employer or clients his background information including his mental health and substance abuse history at the discretion and direction of the Probation Office.

JUDICIAL RECOMMENDATIONS: FDC Honolulu. Mental Health Counseling.

Defendant advised of his right to appeal.

Defendant remanded to the custody of U.S. Marshals.

Submitted by: Theresa Lam, Courtroom Manager